

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Safety-Kleen Systems, Inc.,)	
)	
Plaintiff,)	
)	Case No. CV-02-03565
v.)	
)	Judge Charles R. Weiner
Don R. Pennell,)	
)	
Defendant.)	

JOINT PROPOSED DISCOVERY PLAN

Plaintiff Safety-Kleen Systems, Inc. ("Safety-Kleen") and defendant Don Pennell ("Pennell"), having conferred in accordance with the provisions of Federal Rules of Procedure 26(f), hereby submit the following proposed discovery plan to the Court:

(a) The parties will serve initial disclosures pursuant to Rule 26(a)(1) on or before September 17, 2002.

(b) The parties will respond to any discovery requests served prior to September 17, 2002 on or before October 17, 2002.

(c) Discovery shall proceed on all relevant issues in any order.

(d) Fact discovery shall be completed on or before March 3, 2003.

(e) Plaintiffs' expert report(s), if any, shall be served on or before March 17, 2003.

(f) Plaintiffs shall make their expert(s) available for deposition prior to March 31, 2003.

(g) Defendants shall serve their expert report(s) on or before April 14, 2003.

(h) Defendants shall make their experts(s) available for deposition prior to April 30, 2003.

(i) All expert discovery shall be completed on or before May 1, 2003.

(i) Dispositive motions shall be filed on or before May 15, 2003; responses shall be filed on or before May 29, 2003, and replies shall be filed on or before June 5, 2002.

(k) The parties shall be prepared to submit pretrial memoranda and to try the case at any time after July 1, 2003 as the Court may direct.

Dated: September __, 2002

Respectfully submitted,

Steven M. Wynkoop
William Foster
Nelson Mullins Riley & Scarborough L.L.P.
104 South Main Street, Suite 900
Greenville, South Carolina 29603-0084
803-799-2000 (ph)
843-722-3400 (fx)

Jason K. Cohen
Stradley Ronan Stevens &
Young, LLP
2600 One Commerce Square
Philadelphia, PA 19103-7098
215-564-8102 (ph)
215-562-8120 (fx)

*Attorneys for Plaintiff
Safety-Kleen Systems, Inc.*

Timothy A. Duffy
Kirkland & Ellis
200 East Randolph Dr.
Chicago, Illinois 60601
312-861-2445 (ph)
312-861-2200 (fx)

Sherry A. Swirsky
Schnader Harrison Segal &
Lewis LLP
1600 Market Street, Suite 3600
Philadelphia, PA 19103-7286
215-751-2000 (ph)
215-751-2205 (fx)

*Attorneys for Defendant
Don R. Pennell*